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House Probers Plan to Subpoena Tongsun Park

By T. R. Reid

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A House committee investigating Congress' Korean connection reiterated yesterday that it will subpoena testimony from Tongsun Park when Park returns to this country—and the Justice Department said it would not try to block such a subpoena.

Park's attorney, William G. Hundley, said last night that he expects the Korean to appear for questioning before congressional investigators, despite congressional fears that Park might be able to avoid such an appearance.

Rep. John J. Flynt Jr. (D-Ga.), chairman of the House Committee on Standards of Official Conduct, issued a brief statement yesterday asserting that committee members had voted to subpoena Park, who is alleged to have been a central figure in the illicit South Korean effort to buy official friends and influence in the U.S. government.

The members actually authorized the Park subpoena last spring. Flynt made that action public yesterday to emphasize that the committee will not forgo its right to question the Korean

because of a Justice Department agreement covering Park's testimony in criminal cases stemming from the alleged influence-buying effort.

The department announced last week that it had reached a settlement, after months of negotiations with the Korean government, under which Park will return from Seoul to testify in criminal trials stemming from the Korean influence-buying program. In return for that testimony, the department will drop its pending 36-count indictment charging Park himself with bribery and conspiracy.

The agreement adds that "Mr. Tongsun Park by reason of these arrangements will assume no obligation to appear before congressional committees..." The document goes on to note that "it is expected" that Park would return to Korea as soon as his trial testimony is completed.

These clauses aroused the ire of Flynt and his chief investigator, Leon Jaworski, who complained forcefully that the Justice Department had undermined Congress' ability to pursue its own Korean probe.

Assistant Attorney General Benjamin R. Civiletti offered his own legal

parsing of the sentence stating that Park assumes "no obligation" to appear before the committee. Civiletti emphasized the words "by reason of these arrangements," observing that while Justice's agreement had not obligated Park to face congressional questions, Congress could easily do so by serving Park with a subpoena.

A Justice Department official on the case reiterated yesterday that its settlement would not interfere with Congress' authority to subpoena testimony and documents from Park.

Civiletti said he didn't think the committee's subpoena of Park would upset the department's agreement with the Korean government.

"The Koreans have been aware of the possibility of such a subpoena," he said.

And Park's lawyer, Hundley, said that he fully expects Park to appear before congressional investigators. "Nobody is trying to run and hide from the committees," Hundley said.

Peter White, an associate in Jaworski's law firm who is directing the House committee's investigative staff, expressed concern yesterday that the Justice Department agreement might

give Park de-facto immunity against a perjury indictment if he lies to congressional investigators.

Civiletti said last week that Park would be liable to indictment if he perjures himself while in the United States. But White, noting the language assuring Park the right to leave the country as soon as his testimony is completed, said that Park might be safely back in Seoul before any perjured statements were discovered.

Congressional investigators said Park will probably be served with the subpoena as soon as he steps off a plane at an American airport. But the subpoena's "return date"—when Park would actually appear for congressional questioning—would presumably be delayed until a time agreeable to Congress, the Justice Department and Park.

White said the House committee will not send any investigators of its own along this month when Justice attorneys go to Seoul for preliminary questioning of Park. But Victor Kramer, chief counsel for a separate Senate Korean probe, said he probably would send a member of his staff to the Seoul sessions.